

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**ST. JUDE CHILDREN’S RESEARCH  
HOSPITAL, INC.,**  
a Tennessee Not-For-Profit Corporation,

**Plaintiff,**

**vs.**

**QUEST DIAGNOSTICS INCORPORATED,**  
a Delaware Corporation,

**Defendant.**

**QUEST DIAGNOSTICS INCORPORATED,**  
a Delaware Corporation,

**Counter-Claimant,**

**vs.**

**ST. JUDE CHILDREN’S RESEARCH  
HOSPITAL, INC.,**  
a Tennessee Not-For-Profit Corporation,

**Counter-Defendant.**

**Case No. 2:08 CV 02299**

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**STIPULATION OF DISMISSAL**

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Pursuant to Fed. R. Civ. P. 41, Plaintiff/Counter-Defendant St. Jude Children’s Research Hospital (“St. Jude”) and Defendant/Counter-Claimant Quest Diagnostics Incorporated (“QDI”), (collectively the “Parties”), by and through their respective counsel of record, subject to the approval of the Court, stipulate that, pursuant to a settlement agreement between the Parties, St. Jude's complaint against Quest shall be, and hereby is, dismissed with prejudice, and Quest's counterclaims against St. Jude shall be, and hereby are, dismissed without prejudice, with each party to bear its own attorney fees and costs.

DATED: December 9, 2009

By: s/ Glen G. Reid, Jr.

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DATED: December 9, 2009

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QUEST DIAGNOSTICS INCORPORATED**

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been served on all counsel of record via the Court's ECF system, this the 9th day of December, 2009.

/s/ Glen G. Reid, Jr.